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International Convention on the Elimination of all Forms of Racial Discrimination

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COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION
Fifty-fourth session

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 9 OF THE CONVENTION

Concluding observations of the Committee on the Elimination of Racial Discrimination

Syrian Arab Republic

1. The Committee considered the twelfth, thirteenth, fourteenth and fifteenth periodic reports of the Syrian Arab Republic (CERD/C/338/Add.1/Rev.1) at its 1319th and 1320th meetings (CERD/C/SR.1319-1320), held on 10 and 11 March 1999. At its 1332nd meeting (CERD/C/SR.1332), held on 19 March 1999, it adopted the following concluding observations.

A. Introduction

2. The Committee welcomes the twelfth, thirteenth, fourteenth and fifteenth periodic reports submitted by the Government of the Syrian Arab Republic in one document and the introductory presentation made by the delegation as well as the opportunity thus offered to recommence its dialogue with the State party after eight years. Nevertheless, the Committee regrets that the report did not follow the guidelines; the information was too concise and did not take into consideration the Committee's concluding observations relating to the previous report of the State party for the submission of a comprehensive report. The Committee expresses its appreciation for the constructive dialogue with the delegation and the additional information provided in response to the questions asked.

B. Factors and difficulties impeding the implementation of the Convention

3. The Committee notes that the State party, as a result of the Israeli occupation of part of its territory, is not in a position to exercise control

over all its territory and consequently cannot ensure the implementation of the Convention in the Golan Heights. The Committee also takes note of the difficulties caused by the fact that the State party has hosted a great number of refugees for several decades. It is also noted that the state of emergency, which continues to be in force in the State party, militates against the unrestricted implementation of some of the provisions of article 5 of the Convention.

C. Positive aspects

4. The Committee expresses its satisfaction at the fact that the international conventions to which the State party has acceded, including the International Convention on the Elimination of All Forms of Racial Discrimination, have become an integral part of its domestic legislation and are binding on the judicial and other authorities of the State.

5. Efforts made by the State party to host Palestinian refugees, of whom 351,189 have been registered, and letting them retain their identity are also noted with satisfaction.

6. The Committee notes with satisfaction that the State party's Penal Code (arts. 305, 307 and 109) reflects most of the provisions enshrined in article 4 of the Convention.

7. The Committee welcomes the information contained in the report concerning educational measures which provide for the inclusion of the teaching of human rights, including the need to combat and condemn racial discrimination, in school curricula. Satisfaction is also expressed in relation to the efforts undertaken by the State party to raise awareness and promote action against all forms of racial discrimination; the Committee notes, in this regard, the establishment of a human rights committee in every school in order to promote the principles of tolerance and peaceful coexistence among different ethnic groups in the State party.

8. The Committee also notes with satisfaction that the State party has ratified the amendments to article 8, paragraph 6, of the Convention, adopted on 15 January 1992 at the Fourteenth Meeting of States Parties to the Convention.

D. Principal subjects of concern

9. While the Committee acknowledges the State party's efforts to protect the rights of ethnic national minorities, particularly Armenians, Palestinians and Jews, it is still concerned about the stateless status of a large number of persons of Kurdish origin, who are alleged to have entered the Syrian Arab Republic from neighbouring countries from 1972 to 1995 and who are said to number 75,000.

10. The Committee is concerned about Syrian-born Kurds, who are considered either as foreigners or as maktoumeen (unregistered) by the Syrian authorities and who face administrative and practical difficulties in acquiring Syrian nationality, although they have no other nationality by birth.

E. Suggestions and recommendations

11. The Committee encourages the State party to continue to explore ways of providing protection to all ethnic or national groups living in the Syrian Arab Republic and recommends that the State party include in its next report data on the ethnic composition of the population and on persons residing in the Syrian Arab Republic who are non-Palestinian refugees. Information on their socio-economic situation would also be appreciated.

12. In the light of article 3 of the Convention and General Recommendation XIX, the Committee encourages the State party to monitor developments which may give rise to racial segregation and to work for the eradication of any negative consequences that ensue from such developments.

13. In order to be able to evaluate the implementation of articles 4 and 6 of the Convention, the Committee requests the State party to present information on the number of complaints, judgements and compensation awards arising from acts of racial discrimination.

14. The Committee recommends further action to protect the rights of all persons belonging to ethnic and national groups to enjoy, without discrimination, the civil and political rights listed in article 5 of the Convention, notably the right to nationality and cultural self-expression. In particular, the Committee recommends that the State party review its legislation on nationality in order to find an expeditious solution to the situation of Syrian-born Kurds and refugee children born in the Syrian Arab Republic.

15. The Committee recommends that the State party undertake preventive measures, such as training programmes for law enforcement officials and security authorities, which will strengthen the implementation of the Convention, in accordance with article 7 of the Convention and General Recommendation XIII of the Committee, with a view to preventing human rights violations such as arbitrary arrests, detention, and disappearances of stateless refugees and foreigners.

16. Some members of the Committee requested that the State party consider the possibility of making the declaration provided for in article 14 of the Convention.

17. The Committee recommends that the State party's next periodic report, due on 21 May 2000, be a comprehensive report, following the reporting guidelines established by the Committee.

18. The Committee suggests to the State party that the report and the present concluding observations be widely distributed to the public.

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